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MATT BLUNT

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The secretary of state's office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Division of Administrative Rules, PO Box 1767, Jefferson City, MO 65102, (573) 751-4015. Hearing impaired citizens should contact the director through Missouri relay, (800) 735-2966.



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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

Missouri Depository Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Depository Documents Law (section 181.100, RSMo 2000), are available in the listed depository libraries, as selected by the Missouri State Library:

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

FROM THIS ANGLE

RECORD -- OF SORTS!!

As you are aware, we have been printing Code and Register since 1976. We have a near record-breaking Register coming up! The September 4th edition of the Missouri Register contains 230 rulemakings! Wow, you have been busy -- and you are keeping us busy!!

Delegation of Authority

Please remember to send in your letters of delegation of authority for our files. We recently had a division within a Department attempt to file rules. We, unfortunately, had to send that individual back to his agency because: (1) their Department Director had not signed a letter of delegation of authority; (2) we had no delegation of authority on file which would allow filing of rules by that division or that division's director. This is a very important letter -- so, *please* remember to check your files and make certain that with changes in administration and leadership that this change has also been made with our office.

Revising Rules?

Please remember if you are revising your rules in any manner, you may call us and obtain a diskette copy, formatted in Word, of the content of your rules as they now appear in Code. Alternatively, we can e-mail the rule content to you. We find it is much easier to begin with this content than to start over, this step eliminates re-keying by your agency -- and, we find it eliminates errors and confusion when you use the "official" Code version.

As always, please feel free to contact us if we may be of assistance to you. It is our privilege to help you in any stage of the rulemaking process.



Lynne C. Angle,
Director, Administrative Rules Division

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 70—Missouri Assistive Technology Advisory
Council
Chapter 1—Assistive Technology Programs**

PROPOSED RULE

8 CSR 70-1.020 Assistive Technology Loan Program

PURPOSE: This rule establishes the standards and procedures for the provision of a statewide low-interest loan program providing financing to eligible persons for purchasing assistive technology devices and services. This rule implements sections 191.850 through 191.867, RSMo 2000.

(1) Program Title. The assistive technology loan program established in sections 191.850 through 191.867, RSMo 2000, shall hereinafter be referred to as "Show-Me Loans."

(2) Definitions. As used in this rule, except as otherwise required for the context, the following terms have the meanings ascribed:

(A) Assistive technology device—is equipment or an item to help maintain, increase, or improve the independence, or functional capabilities of an individual with a disability. The program will facilitate loans to purchase a broad range of assistive technology;

(B) Assistive technology service—is a service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. Such term includes, but is not limited to:

1. The evaluation of the needs of an individual with a disability;

2. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of an assistive technology device;

3. Coordinating with other therapies, interventions, or services with assistive technology devices;

4. Training or technical assistance for an individual with a disability, or, where appropriate, the family of an individual with a disability;

5. Training or technical assistance to professionals, employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of an individual with a disability;

(C) Individual with a disability—is an individual who meets the definition of an individual with a disability as defined in the Americans with Disabilities Act or an individual who is eligible for any of the state of Missouri disability related programs;

(D) Council—is the Missouri Assistive Technology Advisory Council;

(E) Program—is the Show-Me Loans Program;

(F) Eligible applicant—is an individual seeking a loan to assist one (1) or more individuals with disabilities obtain an assistive technology device or service;

(G) Adjusted gross income—is the amount claimed as adjusted gross income on an applicant's most recent federal income tax return;

(H) Program administrator—is staff of Missouri Assistive Technology or other entity so designated by the Missouri Assistive Technology Advisory Council.

(3) Applicant Eligibility.

(A) Eligible applicants shall:

1. Be residents of Missouri;

2. Be seeking a loan that will assist an individual with a disability obtain an assistive technology device or service;

3. Meet program standards established by the council.

(B) The program administrator may determine an applicant is ineligible for the program when the applicant has defaulted on a previous loan made through the program or violates any provisions of the program, or ceases to meet the requirements of these rules or of any standards or policies established by the council.

(C) Eligible applicants shall have an annual adjusted gross income that does not exceed sixty thousand dollars (\$60,000) for an individual or an individual plus a second exemption, spouse or dependent. For each additional dependent claimed, five thousand dollars (\$5,000) shall be added to the sixty thousand dollars (\$60,000) base level.

(4) Assistive Technology Eligible for Loan Funds. Allowable devices shall include, but not be limited to:

- (A) Wheelchairs, motorized scooters and other mobility aids;
- (B) Braille equipment;
- (C) Scanners;
- (D) Hearing aids and other assistive listening systems;
- (E) Augmentative communication systems;
- (F) Environmental control units;
- (G) Computers and adaptive computer peripherals;
- (H) Building modifications for accessibility;

(I) Motor vehicle modifications for accessibility. Motor vehicles such as automobiles, vans, or trucks are not eligible items for loans. Building modifications for homes are limited to the cost of the modifications. Loans are not permitted toward the purchase of a home.

(5) Loan Standards.

(A) Interest Rates. As a Special Purpose Credit Program under Section 8 of Regulation B of the Equal Credit Opportunity Act, the loan program may base interest rates on economic need rather than credit risk factors. The council shall establish an interest rate formula for borrowers based on individual payment abilities. The interest rate for individuals with a gross annual income of thirty thousand dollars (\$30,000) or more shall not exceed the prime interest rate. The interest rate for individuals with a gross annual income of more than fifteen thousand dollars (\$15,000) but less than thirty thousand dollars (\$30,000) shall not exceed one (1) percentage point below the prime interest rate. The interest rate for individuals with a gross annual income of fifteen thousand dollars (\$15,000) or less shall not exceed two (2) percentage points below the prime interest rate. The interest rates for loans shall be lower than comparable commercial lending rates. Loans may be made with no interest.

(B) Repayment Periods. The council shall establish repayment periods for borrowers based on the ability to pay. Loan repayment periods shall not exceed ten (10) years.

(C) Loan Amount. The maximum loan amount per applicant for Fiscal Year 2002 shall be ten thousand dollars (\$10,000). Thereafter, the council shall have the authority to review and adjust the maximum loan amount.

(D) Other. The council shall establish standards at the beginning of each year for matters necessary to implement the program. These standards shall include, but not be limited to, requirements for security or collateral for loans, and limits on the numbers and amounts of loans to assure the continued solvency of the loan program fund.

(6) Application Procedures. Individuals shall apply for the program, on forms approved by the program administrator, that include:

(A) Applicant name, home and mailing address, home and work phone, and Social Security number;

(B) If the applicant does not have a disability, a description of the applicant's relationship to the individual with a disability, the name of the person with a disability, if different from applicant; and the type of disability;

(C) Whether the applicant is applying as an individual or with a co-applicant;

(D) Identification of the assistive technology that the applicant plans to purchase; a description of how the assistive technology will improve the life of the person with a disability; the cost of the assistive technology; amount of loan requested; and the name, address and phone number of the vendor, contractor, or individual from whom the assistive technology will be purchased;

(E) Certification by the applicant that they authorize the program administrator to check the applicant's credit, make all inquiries necessary to verify the accuracy of the information provided, and share all financial, credit, and other pertinent information with required entities for the sole purposes of loan approval and loan maintenance;

(F) Whether the applicant rents or owns housing; name of landlord or mortgagor; monthly rent or mortgage payment; years and months living at current address and at previous address; name, address, and phone number of current employer; amount of gross monthly income from employment; source and monthly amount of income other than employment; name, address, and phone number of previous employer; years and months at current employer and previous employer; position or occupation at current employer and at previous employer; whether the applicant has a checking or a savings account; the bank name that holds the checking or savings account; and the names, addresses, phone numbers, and relationship to the applicant of the two (2) closest living relatives not living at applicant's address. If there is a co-applicant, all information in section (6) is also required for the co-applicant including a spouse if the spouse is contractually liable for repayment or if the applicant is relying on the income of spouse for approval of credit;

(G) Information about the applicant's current financial obligations including, but not limited to: financial institutions, department stores, credit cards, leases, unpaid taxes, alimony and child support. The applicant shall include information including the responsibility of the applicant and any co-applicant, the name of creditors, current outstanding balances, monthly or other term payments;

(H) Information required by federal or state statute;

(I) A statement to be signed by the applicant verifying the truthfulness and accuracy of all information submitted;

(J) In addition to information required on the application, applicants shall supply any additional information and supporting documentation which the program administrator deems reasonably necessary to determine the applicant's eligibility to receive a loan through the program.

(7) Application Review Procedures.

(A) Initial Application Review. Upon receipt of an application, the program administrator will perform an initial review to verify that the applicant is seeking a loan for assistive technology for an individual with a disability. The program administrator will perform an initial review of the applicant's creditworthiness, ability to repay the loan, and ability to meet the eligibility criteria established by the council.

(B) Loan Application Review. Following initial application review, the application will be submitted by the program administrator for approval or denial by the loan application review committee.

1. The loan application review committee shall consist of no fewer than five (5) members and no more than eleven (11) members. At least one (1) member shall be a Missouri Assistive Technology Advisory Council member. A majority of members shall be individuals with disabilities or individuals who have a family member with disability. The council shall appoint loan application review committee members for three (3)-year terms.

2. The loan application review committee shall approve or deny loan applications based on the eligibility criteria and financial standards established by the council.

(C) Approved Loan Processing.

1. The program administrator shall prepare a resolution on behalf of the council that will serve as an invoice for payment purposes upon approval of a loan application.

2. The program administrator shall submit by fax the resolution and all other necessary paperwork to immediately transfer funds from the Assistive Technology Revolving Loan Fund to the entity initiating the loan.

(D) Denied Loan Processing. The program administrator shall notify the applicant in writing following the denial of a loan application. The notification shall include information about how to appeal the denial decision.

(8) Appeals Process. Applicants may appeal any disapproval of a loan application by filing a written appeal with the Missouri Assistive Technology Advisory Council. No specific form shall be required. The council may hear appeals during any regularly scheduled council meeting or may call a special meeting of the council for such purpose. The council's decision regarding approval or denial of a loan shall be final.

(9) Fraud. If an applicant supplies false information or obtains a loan through misrepresentation of facts on the application, the program administrator may demand return of the item(s) for which the loan was provided and may declare such applicants ineligible for future loans.

AUTHORITY: section 191.865, RSMo 2000. Original rule filed July 10, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file comments regarding this proposed rule with the Missouri Assistive Technology Council, 4731 South Cochise, Suite 114, Independence, MO 64055 or e-mail at matpmo@swbell.net. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.280 Compliance Monitoring Usage. The commission proposes to add new section (1), renumber original section (1), renumber and amend sections (2) and (3), and add new section (4). If the commission adopts this rule action, it will not be submitted to the U.S. Environmental Protection Agency for inclusion in the Missouri State Implementation Plan because this rule only establishes methodology and does not establish requirements.

PURPOSE: The purpose of this amendment is to replace the references to rule 10 CSR 10-6.290 with references to 40 CFR Part 64. This amendment will also revise the format of this rule to be more consistent with other Division 10 rules. The evidence supporting the need for this rulemaking is public comment.

(1) Applicability. This regulation applies to air pollution sources throughout Missouri.

[(1)](2) Definitions[—]. Terms and phrases used in this rule may be found in 10 CSR 10-6.020 Definitions and Common Reference Tables.

(3) General Provisions.

[(2)] (A) Compliance Certifications[—]. Regardless of any other provision in any plan approved by the administrator, for the purpose of submission of compliance certificates the owner or operator is not prohibited from using the following in addition to any specified compliance methods:

[(A) This subsection is reserved to incorporate by reference 10 CSR 10-6.290 Enhanced Monitoring, which will be adopted in the future;]

1. Monitoring methods outlined in 40 CFR part 64;

[(B)] 2. Monitoring method(s) approved for the source pursuant to 10 CSR 10-6.065 Operating Permits, and incorporated into an operating permit; and

[(C)] 3. Any other monitoring methods approved by the director.

[(3)] (B) Enforcement[—]. Regardless of any other provision in the state implementation plan, any credible evidence may be used for the purpose of establishing whether a *[person] source or facility* has violated or is in violation of any such plan or other applicable requirement. **Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at a source:**

[(A) Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at a source:]

1. *[This paragraph is reserved to incorporate by reference 10 CSR 10-6.290 Enhanced Monitoring, which will be adopted in the future]* **Monitoring methods outlined in 40 CFR part 64;**

2. A monitoring method approved for the source pursuant to 10 CSR 10-6.065 Operating Permits, and incorporated into an operating permit; and

3. Compliance test methods specified in the rule cited as the authority for the emission limitations.

(4) Reporting and Record Keeping. (Not Applicable)

[(B)](5) Test Methods. The following testing, monitoring, or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:

[(1)](A) Applicable monitoring or testing methods, cited in: 10 CSR 10-6.030 Sampling Methods for Air Pollution Sources; 10 CSR 10-6.040 Reference Methods; 10 CSR 10-6.070 New Source Performance Standards; and 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants; or

[(2)](B) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method in subsection *[(3)](A)](3)(B) or [paragraph (3)(B)]1 subsection (5)(A).*

AUTHORITY: section 643.050, RSMo [Supp. 1992] 2000. Original rule filed June 2, 1994, effective Dec. 30, 1994. Amended Filed: July 12, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., September 26, 2001. The public hearing will be held at the Adam's Mark Hotel, 4th & Chestnut, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Roger D. Randolph, Director, Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., October 3, 2001. Written comments shall be sent to Chief, Planning Section, Air

Pollution Control Program, 205 Jefferson Street, PO Box 176,
Jefferson City, MO 65102-0176.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

PROPOSED AMENDMENT

16 CSR 50-2.130 Direct Rollover Option. The division is amending section (3).

PURPOSE: This rule describes the direct rollover option authorized by section 50.1260, RSMo.

(3) A distributee *[may elect a direct rollover after having received a written notice which complies]* **will be provided with an initial notice in compliance** with the rules of *Internal Revenue Code* (Code) section 402(f), **advising the distributee that there will be withheld an amount equal to twenty percent (20%) (or such other amount as may from time to time be prescribed by the Code or the Secretary of Treasury or his or her designate) on any eligible rollover distribution that is not transferred directly to an eligible retirement plan.** In general, payment to a distributee shall *[not]* begin *[until]* **no sooner than thirty (30) days after the initial notice is given.** However, payment may be made sooner if the notice clearly informs the distributee of the right to a period of at least thirty (30) days to consider the decision of whether or not to make a direct rollover, and the distributee, after receiving the notice, makes an affirmative election to **either receive an immediate distribution or directly roll over the eligible rollover distribution to an eligible retirement plan.** If, however, the distributee fails to make any such affirmative election within thirty (30) days after the initial notice is given, the distributee will be provided with a second notice, affording the distributee with an additional opportunity to make an affirmative election. *[A]* **If the distributee *[who]* fails to make an affirmative election *[in]* within the thirty (30)-day period *[shall receive]* after the second notice is given to either receive an immediate distribution or directly roll over the eligible rollover distribution *[immediately after the]* to an eligible retirement plan, the distributee will be treated as having made an affirmative election to receive an immediate distribution and, accordingly, the eligible rollover distribution (less the twenty percent (20%) required to be withheld) will be paid to the distributee immediately after such thirty (30)-day period expires.**

AUTHORITY: section 50.1032, RSMo [Supp. 1999] 2000. Original rule filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed July 6, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, PO Box 2271, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 5—Inspections**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board hereby amends a rule as follows:

2 CSR 80-5.010 Inspection Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 909). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on June 4, 2001 at 11:00 a.m. in the conference room of the Missouri State Milk Board office, 911-D Leslie Boulevard, Jefferson City, Missouri. No comments were received during the public hearing. No written comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 4—Wildlife Code: General Provisions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-4.113 Ginseng is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1129-1130). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 4—Wildlife Code: General Provisions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

3 CSR 10-4.115 Special Regulations for Department Areas is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1130-1131). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 4—Wildlife Code: General Provisions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

3 CSR 10-4.116 Special Regulations for Areas Owned by Other Entities is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1131). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.205 Permits Required; Exceptions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1132). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.215 Permits and Privileges: How Obtained; Not Transferable is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1132). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.216 Permits and Privileges: Revocation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1132-1133). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.310 Resident Lifetime Conservation Partner Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1133). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.315 Resident Lifetime Fishing Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1133). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.320 Resident Lifetime Small Game Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1133). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.405 General Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1134). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.410 Fishing Methods is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1134–1135). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.505 Black Bass is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1135). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.525 Paddlefish is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1135–1136). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.575 Hound Running Area: Privileges, Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1136). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.625 Field and Retriever Trial Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1136). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2002**.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 10—Wildlife Code: Commercial Permits:
Seasons, Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.744 Commercial Deer Processing: Permit, Privileges, Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1136-1137). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.105 Title; Authority **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1137). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.110 General Provisions **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1137). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.115 Closings **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1137-1138). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.120 Pets and Hunting Dogs **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1138). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.130 Vehicles, Bicycles, Horses and Horseback Riding **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1138-1139). No changes have been made in the text of

the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

**3 CSR 10-11.135 Wild Plants, Plant Products, and Mushrooms
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1139). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.140 Camping is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1139). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.145 Tree Stands is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001

(26 MoReg 1139–1140). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

**3 CSR 10-11.150 Target Shooting and Shooting Ranges
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1140). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.155 Decoys and Blinds is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1140). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.160 Use of Boats and Motors is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1140-1141). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.165 Bullfrogs and Green Frogs is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1141). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.180 Hunting, General Provisions and Seasons is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1141-1144). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.182 Deer Hunting is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1144-1146). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.183 Managed Deer Hunts is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1146). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.186 Waterfowl Hunting is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1146-1147). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.187 Trapping is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1147). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.200 Fishing, General Provisions and Seasons is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1147-1148). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.205 Fishing, Methods and Hours is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1148-1149). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.210 Fishing, Daily and Possession Limits is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1149). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.215 Fishing, Length Limits is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1150). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Definitions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

3 CSR 10-11.805 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1150-1151). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.101 Title; Authority is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1151). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.105 Wildlife Refuges is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1151). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.110 Use of Boats and Motors is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1151-1152). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.115 Bullfrogs and Green Frogs is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1152-1153). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.125 Hunting and Trapping is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1153). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.130 Fishing, General Provisions and Seasons is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1154). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.135 Fishing, Methods is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1154). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.140 Fishing, Daily and Possession Limits is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1154–1155). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.145 Fishing, Length Limits is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1156). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.150 Fishing, Trout Parks is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1156–1157). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 20—Wildlife Code: Definitions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-20.805 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1157–1159). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 255—Missouri Board for Respiratory Care
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Respiratory Care under sections 334.800, 334.840.2, 334.850, 334.870, 334.880, 334.890, and 610.026, RSMo 2000, the board amends a rule as follows:

4 CSR 255-1.040 Fees is amended.

A notice of the proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 16, 2001 (26 MoReg 860). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 70—Special Education
Chapter 742—Special Education**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 162.685 and 178.430, RSMo 2000, the board hereby amends a rule as follows:

5 CSR 70-742.140 is amended.

A notice of proposed rulemaking was not published because state program plans required under federal education acts or regulations are specifically exempt under section 536.021, RSMo. Public hearings were held on October 6, 1999, in Raytown and Cape Girardeau; October 26, 1999, in St. Louis; November 3, 1999, in Columbia and Maryville; and November 9, 1999, in Springfield. Comments received were considered prior to submitting the application to the United States Department of Education.

This rule becomes effective thirty (30) days after publication in the *Code of State Regulations*. This rule describes Missouri's services for children with disabilities, in accordance with Part B of the Individuals with Disabilities Education Act (IDEA).

5 CSR 70-742.140 Individuals with Disabilities Education Act, Part B. This amendment amends the rule and the incorporated by reference material to bring the program plan in compliance with federal statutes.

PURPOSE: The Department of Elementary and Secondary Education is eligible to apply for and receive federal funds under the Individuals with Disabilities Education Act (IDEA), Part B for the provision of special education and related services to eligible children and youth. This rule incorporates by reference changes to the annual program plan required by new federal statutes for the provision of the services to eligible children.

(1) The Missouri state plan for the Individuals with Disabilities Education Act (IDEA), Part B contains the administrative provision for the delivery of special education and related services to eligible children and youth.

(2) The content of this state plan for the Individuals with Disabilities Education Act (IDEA), Part B, which is hereby incorporated by reference and made a part of this rule, meets the federal statute and Missouri's compliance in the following areas:

(A) General Provisions:

1. Applicability;
2. Amendments; and
3. Definitions;

(B) Confidentiality:

1. Confidentiality of Personally Identifiable Information;

(C) Identification and Evaluation:

1. Child Find;
2. Definitions and Criteria for Determination of Eligibility;

and

3. Procedures for Evaluation and Determination of Eligibility;

(D) Free Appropriate Public Education (FAPE)/Individualized Education Program (IEP)/Least Restrictive Environment (LRE):

1. Free Appropriate Public Education;
2. Individualized Education Programs;
3. Least Restrictive Environment (LRE); and
4. Transition of Children from Part C Services to Part B Services;

(E) Procedural Safeguards/Discipline:

1. Opportunity to Examine Education Records/Parent Participation in Meetings;

2. Independent Educational Evaluation;
3. Written Notice;
4. Procedural Safeguards Statement;
5. Written Consent;
6. Administrative Hearing Rights;
7. Surrogate Parents (Educational Surrogates);
8. Transfer of Parental Rights at Age of Majority; and
9. Disciplinary Actions/Removals/Expedited Hearings;

(F) Department of Elementary and Secondary Education (DESE) Responsibilities:

1. Application, Evaluation and Approval of Private Educational Agencies;

2. Child Complaint Process;

3. Comprehensive System of Personnel Development;

4. Full Educational Opportunities Goal;

5. Methods of Ensuring Services;

6. Participation in Assessments;

7. Performance Goals and Indicators;

8. Personnel Standards;

9. Public Participation;

10. State Advisory Panel;

11. State Education Agency (SEA) Responsibility for General Supervision; and

12. Suspension and Expulsion Rates;

(G) Local Education Agency (LEA) Eligibility:

1. Hearings Related to LEA Eligibility; and

2. SEA Implementation of Safeguards;

(H) Private Schools:

1. Private Schools;

(I) Funding:

1. Annual Description of Funds;

2. Class Size and Caseloads;

3. Operational Policies and Guidelines;

4. Maintenance of State Fiscal Support;

5. Policies and Procedures for the Use of Part B Funds;

6. Prohibition Against Comingling;

7. Recovery of Funds for Misclassified Children; and

8. State Level Nonsupplanting;

(J) Special School Districts:

1. Compliance Requirements for Special School Districts and Their Component Districts; and

(K) State Operated Programs:

1. SEA Provision of Direct Services; and

2. State Operated Programs.

AUTHORITY: sections 162.685 and 178.430, RSMo [1994] 2000. Original rule filed April 11, 1975, effective April 21, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed July 3, 2001.

PUBLIC COST: The current public cost for this rule is estimated to be \$522,223,000 for Fiscal Year 2002, with the cost reoccurring annually for the life of the rule based upon yearly appropriations from the General Assembly, the United States Congress, and local tax. Any increased cost associated with the amendment have been offset by reductions in the previous rule.

**FISCAL NOTE
PUBLIC COST****I. RULE NUMBER**

Title: 5 Department of Elementary and Secondary Education
 Division: 70 Division of Special Education
 Chapter: 742 Special Education
 Type of Rulemaking: Order of Rulemaking
 Rule Number and Name: 5 CSR 70-742.140 Individuals with Disabilities Education Act, Part B

II. SUMMARY OF FISCAL IMPACT

The current public cost of this rule for the Department of Elementary and Secondary Education is estimated to be \$522,223,000 for Fiscal Year 2002, with the cost reoccurring annually for the life of the rule based upon yearly appropriations from the General Assembly, the United State Congress, and local tax. The proposed amendment will not add additional cost to the implementation of the rule.

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
<p>The following public agencies that provide special education services to children and youth with disabilities are affected by this rule.</p> <p>525 local school districts Missouri School for the Blind Missouri School for the Deaf State Schools for Severely Handicapped Division of Youth Services Department of Corrections Charter Schools</p>	\$522,223,000

III. WORKSHEET

Expenses	Amount
Local	\$151,061,000
State	\$260,162,000*
Federal	\$111,000,000
Administrative Costs	
Project Total	\$522,223,000

*\$1,500,000 from a private trust fund

IV. ASSUMPTIONS

Any increased cost associated with this amendment have been offset by reductions in requirements in the previous rule.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 13—Grants and Loans

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 640.615, RSMo 2000, amends a rule as follows:

10 CSR 60-13.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2001 (26 MoReg 563-568). Comments were received and are responded to here. Those sections with changes are reprinted here. This proposed amendment becomes effective **September 30, 2001**.

SUMMARY OF COMMENTS: A public hearing on this amendment was held April 10, 2001 and the public comment period ended April 17, 2001. At the public hearing the department testified that this proposed amendment requires construction grant applicants to show they meet or have a plan to meet Technical, Managerial, and Financial capacity requirements; adds a pre-application process; allows the State to require reimbursement if the grant recipient is sold to an entity other than a political subdivision of the State; and sets an additional limit of \$500,000 on the maximum grant amount. The amendment to this rule also allows rural water grant funds to be used by public water systems for incentive payments to farmers who are participating in the Conservation Reserve Enhancement Program. Requirements and limitations are established, including a local match expectation and a limit on the maximum amount of the grant. Comments were received from the representative of a privately-owned public water system and an interested citizen.

COMMENT: A commenter stated that the requirement for grant funds to be reimbursed if the water system is purchased by an entity other than a political subdivision makes it impossible for a privately-owned water company to assist troubled systems and their customers by purchasing the system. Repayment of the grant funds would have to come from a surcharge to the customers, which would create an extreme hardship. The commenter stated that this requirement does not allow for a level playing field and does not allow a troubled community any option other than seeking additional grants. The commenter stated that this is not a constitutional issue. The Constitution states that private entities are not eligible to be awarded a grant but does not include verbiage on divestiture and refunding of grants if a grant recipient is eventually purchased by a private company. The commenter requests removal of the wording, "to other than a political subdivision."

RESPONSE AND EXPLANATION OF CHANGE: The commission consulted with the Attorney General's Office in response to the comment. The requirement for grant funds to be reimbursed when a publicly-owned public water system is purchased by a privately-owned public system is within the commission's authority. In view of the Constitution's prohibition in Article III, section 38(a) on conferring grants upon private entities (unless the grant includes federal funds and is for a public purpose), it would be anomalous to allow systems to accept state grant funds and then sell out to a private entity with no grant repayment obligations. Although some small systems have operational difficulties, no private sector entity should be allowed to accomplish indirectly what it could not do directly; that is, divert state grant funds to its private interests. In addition, the commission pointed out that the amount of grant funds to be reimbursed takes depreciation of the facility into account.

The commission believes that requiring pay-back from private companies is a reasonable requirement. In reviewing this provision, the commission has determined that it would be beneficial to clarify the wording to further support the intent of the provision and to close a potential loophole. The revised wording is printed here.

COMMENT: A commenter stated that, in paragraph (6)(B)5., the figures 5% and 10% of the annual rental payment should be 75% and 150%, respectively. The Memorandum of Understanding between the State of Missouri and the USDA commits the State to an up-front signing incentive from nonfederal funds equal to 150% (10% per year for 15 years) of the annual base payment.

RESPONSE AND EXPLANATION OF CHANGE: The 5% and 10% referred to in this paragraph are percentages of the annual base rental payment times the duration of the contract, rather than a percentage of the total base rental payment. For a 15-year contract with a local match, the rental enhancement grant would be: 5% of the annual base rental payment \times 15 years = 75% of the total base rental payment. For a 15-year contract with no local match, the rental enhancement payment would be: 10% \times 15 = 150%. For a contract of some other duration, the percentages of the total base rental payment would be different than 75% and 150%.

Paragraph (6)(B)5. is modified to clarify that the rental enhancement payment grant is the product of 5% (or 10% with no local match) of the annual base payment times the number of years the contract is in effect.

COMMENT: Paragraph (6)(C)2. states that payments will be made to the recipient in a lump sum. The commenter believes the words "in a lump sum" should be omitted. The rule should not limit a water system's option to request payment of the grant all at once or in partial amounts as necessary. The subrecipients, or farmers, will likely request their reimbursement at different times.

RESPONSE AND EXPLANATION OF CHANGE: The phrase "in a lump sum" was included in the rule to distinguish between the annual rental payments that continue every year the CREP contract is in effect and the one-time rental enhancement payment. This was not intended to imply one payment to the water system in *one* lump sum; rather, rental enhancement payments would be made to the water system in *a* lump sum for immediate disbursement to the eligible subrecipients. The water system owner can request to be paid portions of the grant at different times and it is assumed that he/she will do so since farmers will complete source water protection practices at different times. The paragraph is modified as suggested and "in a lump sum" is deleted.

Section (5) and paragraphs (6)(B)5. and (6)(C)2. are modified as shown below and all other changes are adopted as proposed.

10 CSR 60-13.010 Grants for Public Water Supply Districts and Small Municipal Water Supply Systems

(5) If at any time during the first twenty (20)-years of the design life of the facility(ies) funded under this rule the facility is sold, leased or otherwise transferred, either outright or on a contract for deed or lease-purchase agreement, to other than a political subdivision of the state, the state shall require reimbursement of the grant funds. The total amount of the grant funds to be reimbursed shall be based on a twenty (20)-year straight-line depreciation. Grant funds to be reimbursed, shall become due and payable upon transfer of ownership of the facility(ies).

(6) Grants for Conservation Reserve Enhancement Program Participants.

(B) Application Requirements.

1. As required by section 640.615, RSMo, the applicant must first apply with the agency or other financial source which is to

furnish the primary financial assistance. After the amount of that assistance has been determined, an application for a grant shall be submitted on forms provided by the department. The application shall be supported by the necessary documents and forms from other state and federal grant or lending agencies or private lending agencies to enable the department to establish eligibility and need for grant funds.

2. The application shall contain:

A. The number of acres being protected;

B. The source for the local match;

C. A letter from the local soil conservation district approving the proposed practices to be implemented including a reasonable time line for completion;

D. A legal description of the project; and

E. The name and address of the farmer(s) (subrecipients) proposing the practices.

3. The project for which the grant application is submitted shall comply with appropriate state and local laws, rules and ordinances. These projects shall be limited to those areas with a source water protection program approved by the department.

4. These grants are to be considered secondary sources of funding and, as such, shall in no case exceed one thousand four hundred dollars (\$1,400) per contracted connection, fifty percent (50%) of the total project cost, or five hundred thousand dollars (\$500,000), whichever is less.

5. A local match for the rental enhancement payment grant is expected.

A. The department expects rental enhancement payment grants not to exceed the product of five percent (5%) of the annual base rental payment times the duration of the contract in years (for example, if the contract is in effect fifteen (15) years, the rental enhancement grant would equal seventy-five percent (75%) of the total of all annual base rental payments), and expects this to be matched with an equal amount of other nonfederal funding.

B. Funding priority will be given to those applicants that offer the highest percentage of matching funds. If matching funds are not available, the applicant may request a reduction or waiver of the match requirement, in which case the rental enhancement payment grant shall not exceed the product of ten percent (10%) of the annual base rental payment times the duration of the contract in years.

(C) Approval and Payment of Grants.

1. The applicant shall be notified by the department when the grant application has been approved.

2. Payments will be made to the recipient after completion of the approved practice. These grant payments shall be made immediately available to the farmer (subrecipient) implementing the practices. Grant payments to the recipient may be combined to cover multiple subrecipients.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 60—Public Drinking Water Program

Chapter 13—Grants and Loans

ORDER OF RULEMAKING

By the authority vested in the Safe Drinking Water Commission under section 640.100, RSMo 2000, the commission amends a rule as follows:

10 CSR 60-13.020 Drinking Water Revolving Fund Loan Program is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2001 (26 MoReg 569-571). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **September 30, 2001**.

SUMMARY OF COMMENTS: A public hearing on this amendment was held April 10, 2001 and the public comment period ended April 17, 2001. At the public hearing the department testified that this proposed amendment establishes a direct loan program and clarifies applicability of public participation, user charge ordinances and state prevailing wage requirements to public water systems regulated by the Public Service Commission. These utilities must comply with PSC requirements for public participation and user charge ordinances. State prevailing wage determinations are required only "if otherwise required by law." This amendment is necessary to carry out the purposes of section 640.107, RSMo, which establishes the drinking water revolving fund.

Comments were received from the representative of a privately-owned public water system.

COMMENT: The commenter expressed agreement with the change to paragraph (2)(M)8. if this implies that if the company is a union shop and uses their own associates to perform the project they would be exempt from the prevailing wage rate requirement.

RESPONSE: With the proposed change, paragraph (2)(M)8. will require that bid documents include the current prevailing wage determination issued by the Missouri Department of Labor and Industrial Relations (DOLIR) only if this is otherwise required by law. This is intended to ensure that privately-owned companies are not put in a position of being required by this rule to provide information that the DOLIR does not issue to them. This requirement applies only to bid documents, not to the use of in-house staff.

COMMENT: The commenter concurs with paragraph (2)(M)9. if the company uses their own work force and are compliant with EEOC, the company is in compliance with this requirement.

RESPONSE: This paragraph has been in effect since April 30, 1999 and no changes were proposed in this rulemaking. The requirement remains the same as it has been.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 60—Public Drinking Water Program

Chapter 13—Grants and Loans

ORDER OF RULEMAKING

By the authority vested in the Safe Drinking Water Commission under section 640.100, RSMo 2000, the commission adopts a rule as follows:

10 CSR 60-13.025 State Loan Program is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 1, 2001 (26 MoReg 571-580). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective **September 30, 2001**.

SUMMARY OF COMMENT: A public hearing on this rule was held April 10, 2001 and the public comment period ended April 17, 2001. At the public hearing the department testified that this proposed rule establishes requirements for loans from state funding for financing infrastructure improvements at public water systems. The requirements in the rule are derived from the existing drinking water loan rule, 10 CSR 60-13.020. This rule is necessary to carry out the purposes of section 37(g) of Article III of the *Missouri Constitution* which was passed by the General Assembly in 1998 as SJR 24 and adopted by the voters at the November 1998 general election. No comments were received. The rule is adopted as proposed.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.805 and 313.807, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-5.030 Participation in Gambling Games by a Holder of a Class A or Supplier License, and the Directors, Officers, Key Persons or Employees of Such Licensees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 799). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.800, 313.805 and 313.824, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-7.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 799-801). Changes have been made in the text of the proposed amendment, so it is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission received eight letters of comment on proposed rules 11 CSR 45-7.030, Required Surveillance Equipment; 11 CSR 45-7.040, Required Surveillance; 11 CSR 45-7.050, Casino and Commission Surveillance Room Requirements; 11 CSR 45-7.080, Storage and Retrieval; 11 CSR 45-7.130, Nongambling Hours; and 11 CSR 45-7.150, Compliance with this Chapter; all from Missouri Class A licensees. Additionally, a public hearing was held at which individuals/groups were provided the opportunity to express their agreement with or concern about the rules as written. Issues raised at the hearing were essentially the same as those addressed in the letters.

**MISSOURI RIVERBOAT GAMING ASSOCIATION
(MRGA)**

Mr. Bill Brasher, legal counsel for MRGA, spoke on behalf of the MRGA and its members in opposition to portions of 11 CSR 45-7.030. Joining Mr. Brasher in support of the industry and the joint industry comments were Lyle Randolph, Director of Surveillance, Casino Aztar-Caruthersville; Ray Maurer, Director of Surveillance, Ameristar Casino-Kansas City; Walter Sirorine, Director of Surveillance, Ameristar Casino-St. Charles; Terry Forste, Director of Surveillance, President Casino on the Admiral; Terry Schneider, Director of Casino Operations, and Mark Little, Director of Surveillance, Argosy Riverside Casino; Mike Barbato,

Director of Surveillance, Harrah's North Kansas City; Russ Hursey, Director of Surveillance, Harrah's Maryland Heights; Alyson Smith, Director of Surveillance, and Kevin Wright, Surveillance Investigator, Isle of Capri Kansas City; Kip Crawford, Director of Surveillance, St. Jo Frontier Casino; and Dan Weindruch, General Manager, Isle of Capri Kansas City. Also joining Mr. Brasher were Mr. Ralph Criddle, Managing Partner, International Casino Surveillance Network, Reno, NV; Michael Malia, President, Mike Malia and Associates, Inc., Atlantic City, NJ; and Mike Ryan, Executive Director, MRGA.

COMMENT: Generally, the industry believes that the existing surveillance regulations provide for a system that is effective, efficient, and meets the requirements of protecting the public, protecting the casinos, and insuring the integrity of gaming in Missouri.

RESPONSE: The surveillance equipment, configurations, methodologies, and procedures in use by surveillance departments in Missouri licensed riverboat casinos, in many cases, do not facilitate enforcement of gaming regulations and are, therefore, insufficient to adequately protect Missouri's gaming interests. The commission feels the proposed regulations clarify surveillance requirements, reduce the potential for varying interpretation, and provide a definitive standard by which compliance can be measured. Further, implementation of the proposed regulations, as hereinafter amended, will provide surveillance coverage and recordings beneficial not only to the commission in fulfilling its regulatory responsibilities, but to the Class A licensees as well.

COMMENT: "Some of the proposed surveillance regulations, particularly the requirement contained in 11 CSR 45-7.030 that requires one VCR for each camera on the gaming floor, will do little to provide additional protection to the public, will do little to provide any additional protection to the casinos, and cannot be justified from a cost standpoint." The requirement of one video recorder for each camera will:

1. require additional equipment racks and space, and may necessitate capital expenditures for remodeling and expanding surveillance rooms.
2. necessitate the purchase of additional videotapes and storage racks, and may require capital expenditures for remodeling and expanding surveillance rooms.
3. require ongoing personal services costs for additional employees to change out, rewind, catalog and store videotapes.
4. dramatically increase time required to review tapes to find incidents.
5. decrease the effectiveness and efficiency of surveillance operations.

RESPONSE AND EXPLANATION OF CHANGE: The Commission, after hearing the industry's concerns and the testimony of experts, believes some consideration to amending 11 CSR 45-7.030(1)(K) of the proposed amendment may be in order.

COMMENT: Not only are some of the proposed rules not justified from a cost and surveillance standpoint, the requirements will require a significant cash outlay in surveillance technology that has matured and which will need to be replaced in the not to distant future with digital technology which is far superior to existing technology and which will also require a substantial and significant investment.

RESPONSE: The industry, through testimony, placed the life expectancy of VCRs to be three to four years, and surmised digital technology would not be affordable or available in a usable format for another three to five years. Mr. Barbato stated, "We're looking at a crystal ball right now, and trying to pinpoint exactly when the technology is going to serve our purpose, it's not an exact science right now; it could be three years; it could be five years; it could be six years..." Many existing VCRs will, therefore, have to be

replaced before digital technology is affordably available, and the likelihood is great VCRs placed in service under the proposed rules would require replacement before investments are made in digital technology. Further, nothing in the proposed amendment mandates digital technology be utilized. The proposed amendment does, however, allow for the use of digital technology at that point when it is available, affordable, and practical from a surveillance standpoint.

COMMENT: The most significant proposed change is that every camera on the gaming floor have a separate dedicated recorder.

RESPONSE AND EXPLANATION OF CHANGE: Again, the Commission, after hearing the industry's concerns and the testimony of experts, believes some consideration to amending 11 CSR 45-7.030(1)(K) of the proposed amendment may be in order.

COMMENT: (Criddle) There is not the deterioration of quality image between the single recorded view and the quad image as there would be using a multiplexer. Whether it's a nine port multiplexer or a sixteen port multiplexer, either one of those images, we're not talking the same thing as a quad. The quad is much closer to the individual recorded image. (Brasher) The Missouri industry agrees with Mr. Criddle's views on multiplexers. "I think everybody recognizes that at least the use of quads, not multiplexers, is not only an adequate means of surveilling many areas of the gaming floor, it's beneficial from a surveillance standpoint and should not be prohibited."

RESPONSE: One overriding purpose of the proposed amendment is to eliminate the use of multiplexers in Missouri licensed riverboat casinos.

COMMENT: (Barbato) We, collectively as a group, would like additional time for additional technology to catch up to what we are going to need as an industry. If additional time cannot be granted and the Commission decides to go forward with some requirements, we propose ridding multiplexers, going dedicated VCRs for table games, cage windows, facial ID shots of the guests at the windows, hardcount, softcount, main bank, vault areas, and we would like to see the continued use of quad units on all the other areas on the casino floor to include slot locations, areas where accounted funds are being stored, overall pit shots, and back hallways, loading docks, and anywhere else money is transported. And just one other thing, segregated VCRs for entries and exits as well.

RESPONSE AND EXPLANATION OF CHANGE: The Commission, after hearing the industry's concerns and the testimony of experts, believes some consideration to amending 11 CSR 45-7.030(1)(K) of the proposed amendment may be in order.

WRITTEN COMMENTS: Letters were received from Casino Aztar—Caruthersville; St. Jo Frontier Casino; Ameristar Casinos, on behalf of Ameristar Casino Kansas City (ACKC) and Ameristar Casino St. Charles (ACSC); Argosy Casino—Riverside; Isle of Capri Casinos; and Harrah's Entertainment, Inc., on behalf of Harrah's Maryland Heights, LLC, and Harrah's North Kansas City, LLC; during the comment period. Many of the same issues were addressed in the written correspondence as were expressed during the testimony given by individuals on behalf of the Missouri Riverboat Gaming Association; therefore, they will not be addressed. Comments not addressed during the hearing, but received in writing follow:

St. Jo Frontier Casino

COMMENT: 11 CSR 45-7.030(1)(J) changes the horizontal resolution requirement for video recorders from a minimum 240+ lines to 350+ lines for black and white and 300+ lines for color. This increase in resolution is virtually not detectable by the human eye and would cost the St. Jo Frontier Casino approximately \$21,000.

RESPONSE: The Commission has considered this comment and has decided to make no change in the proposed amendment.

Ameristar Casinos

COMMENT: Both ACKC and ACSC would be required to upgrade the Uninterrupted Power Source (UPS) portion of the backup system as a result of the additional cameras and videotape recorders that would be utilizing considerably more power than their current configuration. The cost of a new UPS system for both surveillance rooms would collectively cost \$32,000.00.

RESPONSE: The Commission has considered this comment and has decided to make no change in the proposed amendment.

Argosy Casino—Riverside

COMMENT: 11 CSR 45-7.030(A) & (B)—Existing wording refers to non-security personnel. I believe this should be non-surveillance personnel.

RESPONSE AND EXPLANATION OF CHANGE: This comment has merit and appropriate housekeeping changes to the proposed rule will be initiated.

COMMENT: 11 CSR 45-7.030(B) 1., 2., & 3. contains references to required surveillance coverage which belongs in section .040 and is actually addressed in section .040. I would suggest part (B) end like part (A), "vantage points, all views required by 11 CSR 45-7.040. The balance of the section should be deleted.

RESPONSE: The referenced wording in this section identifies those areas for which color camera coverage is mandated; therefore, the Commission feels no change in the proposed amendment is required.

Harrah's Entertainment, Inc.

COMMENT: 11 CSR 45-7.030(1)(J) defines the capabilities of video recorders used in surveillance efforts. These capabilities are more technologically advanced than some of the equipment currently in use at Harrah's. It is respectfully requested that the MGC not require new equipment until the current equipment is unusable or fully depreciated.

RESPONSE: The Commission has considered this comment and has decided to make no change in the proposed rule.

COMMISSION ACTION

The Commission, after consideration of testimony and comments, determined certain amendments to the proposed amendment were warranted. Those amendments are as follows:

11 CSR 45-7.030 Required Surveillance Equipment

(1) Each licensee shall install, maintain and operate in the riverboat a closed circuit television system in accordance with the specifications in this rule and shall provide access and override access for the system to the commission or commission's agent. The closed circuit television system must meet or exceed the following:

(A) Solid-state, black-and-white cameras with minimum four hundred plus (400+) line resolution installed in fixed positions with matrix control or with pan, tilt and zoom capabilities, or a combination of them, secreted from public and non-surveillance personnel view to effectively and clandestinely monitor in detail, from various vantage points, all views required by 11 CSR 45-7.040;

(B) Individual solid-state, color television cameras with minimum three hundred twenty plus (320+) line resolution with matrix or pan, tilt and zoom capabilities, or a combination of them, secreted from public and non-surveillance personnel view which is augmented with appropriate color corrected lighting to effectively and clandestinely monitor in detail from, various vantage points, the following:

1. Baccarat and roulette tables, in a manner to clearly observe the wagers, patrons and the outcome of each game;

2. The operations conducted at the fill and credit area of the cashier's cage(s); and

3. Other areas as the commission designates.

(J) Video recorders capable of producing high quality first generation pictures with a minimum horizontal resolution of three hundred fifty plus (350+) lines for black and white and three hundred plus (300+) lines for color. Recorders shall be of non-consumer, professional or industrial grade recording on a standard one-half (1/2) high, VHS tape format or other format approved by the commission, with high speed scanning and flickerless playback capability. No recorder shall have a recording interval of less than twenty (20) frames per second; except those recording four (4) cameras, as provided in subsection (1)(K) of this rule, which shall record at no less than fifteen (15) frames per second;

(K) Unless otherwise approved by the commission, one (1) video recorder is required for each video camera viewing entry and exit turnstiles; areas within cashier cages and booths, main banks and slot change booths; vaults; count rooms; table games; and all stationary fill/change banks on the gaming floor. No more than four (4) video cameras shall be recorded on any one (1) video recorder in all other areas;

Title 11—DEPARTMENT OF PUBLIC SAFETY

Division 45—Missouri Gaming Commission

Chapter 7—Security and Surveillance

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section(s) 313.004, 313.805 and 313.824, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-7.040 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 802–803). Changes have been made in the text of the proposed amendment, so they are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission received eight letters of comment on proposed rules 11 CSR 45-7.030, Required Surveillance Equipment; 11 CSR 45-7.040, Required Surveillance; 11 CSR 45-7.050, Casino and Commission Surveillance Room Requirements; 11 CSR 45-7.080, Storage and Retrieval; 11 CSR 45-7.130, Nongambling Hours; and 11 CSR 45-7.150, Compliance with this Chapter; all from Missouri Class A licensees. Additionally, a public hearing was held at which individuals/groups were provided the opportunity to express their agreement with or concern about the rules as written. Issues raised at the hearing were essentially the same as those addressed in the letters.

MISSOURI RIVERBOAT GAMING ASSOCIATION (MRGA)

Mr. Bill Brasher, legal counsel for MRGA, spoke on behalf of the MRGA and its members in opposition to portions of 11 CSR 45-7.030. Joining Mr. Brasher in support of the industry and the joint industry comments were Lyle Randolph, Director of Surveillance, Casino Aztar—Caruthersville; Ray Maurer, Director of Surveillance, Ameristar Casino—Kansas City; Walter Sirorine, Director of Surveillance, Ameristar Casino—St. Charles; Terry Forste, Director of Surveillance, President Casino on the Admiral; Terry Schneider, Director of Casino Operations, and Mark Little, Director of Surveillance, Argosy Riverside Casino; Mike Barbato, Director of Surveillance, Harrah's North Kansas City; Russ Hursey, Director of Surveillance, Harrah's Maryland Heights; Alyson Smith, Director of Surveillance, and Kevin Wright,

Surveillance Investigator, Isle of Capri Kansas City; Kip Crawford, Director of Surveillance, St. Jo Frontier Casino; and Dan Weindruch, General Manager, Isle of Capri Kansas City. Also joining Mr. Brasher were Mr. Ralph Criddle, Managing Partner, International Casino Surveillance Network, Reno, NV; Michael Malia, President, Mike Malia and Associates, Inc., Atlantic City, NJ; and Mike Ryan, Executive Director, MRGA.

COMMENT: Generally, the industry believes that the existing surveillance regulations provide for a system that is effective, efficient, and meets the requirements of protecting the public, protecting the casinos, and insuring the integrity of gaming in Missouri.

RESPONSE: The surveillance equipment, configurations, methodologies, and procedures in use by surveillance departments in Missouri licensed riverboat casinos, in many cases, do not facilitate enforcement of gaming regulations and are, therefore, insufficient to adequately protect Missouri's gaming interests. The commission feels the proposed amendments clarify surveillance requirements, reduce the potential for varying interpretation, and provide a definitive standard by which compliance can be measured. Further, implementation of the proposed amendments, as hereinafter amended, will provide surveillance coverage and recordings beneficial not only to the Commission in fulfilling its regulatory responsibilities, but to the Class A licensees as well.

WRITTEN COMMENTS: Letters were received from Casino Aztar—Caruthersville; St. Jo Frontier Casino; Ameristar Casinos, on behalf of Ameristar Casino Kansas City (ACKC) and Ameristar Casino St. Charles (ACSC); Argosy Casino—Riverside; Isle of Capri Casinos; and Harrah's Entertainment, Inc., on behalf of Harrah's Maryland Heights, LLC, and Harrah's North Kansas City, LLC; during the comment period. Many of the same issues were addressed in the written correspondence as were expressed during the testimony given by individuals on behalf of the Missouri Riverboat Gaming Association; therefore, they will not be read-dressed. Comments not addressed during the hearing, but received in writing follow:

Argosy Casino—Riverside

COMMENT: 11 CSR 45-7.040(1)(N) could be read to require a camera on each EGD to record each EGD number. Is this the intent of the rule or is the intent to have the ability to record every EGD number?

RESPONSE AND EXPLANATION OF CHANGE: The commission has considered this comment and, in an effort to remove any misinterpretation, will clarify the proposed amendment.

Harrah's Entertainment, Inc.

COMMENT: 11 CSR 45-7.040(1)(I) would require surveillance for "all areas where cards, dice, cash, chips and tokens are stored." It is respectfully requested that this proposed amendment be changed to specify that it is applicable only to gaming areas.

RESPONSE AND EXPLANATION OF CHANGE: The commission has determined this comment has merit and will clarify the proposed amendment.

COMMISSION ACTION

The commission, after consideration of testimony and comments, determined certain amendments to the proposed amendments were warranted. Those amendments are as follows:

11 CSR 45-7.040 Required Surveillance

(1) Every licensee shall conduct and record surveillance which allows clear, unobstructed views in the following areas of the riverboat and the land-based facilities—

(I) All areas where cards, dice, cash gaming assets, chips and tokens are stored;

(M) Other areas as the commission may designate through its approval of the licensee's surveillance plan or as it may require;

(2) Every licensee who exposes slot machines for play shall install, maintain, and operate at all times a casino surveillance system that possesses the capability to monitor and record clear, unobstructed, overall and continuous views of all areas that contain slot machines, recorded with sufficient clarity to read external meters, and permit identification of slot machine numbers, reel positions, all players, employees, patrons and spectators; and shall conduct and record surveillance which allows clear, unobstructed overall and continuous views of all slot change booths, including their cash drawers, countertops, counting machines, customer windows and employee windows, recorded with sufficient clarity to permit identification of all transactions, cash, paperwork, patrons and employees.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.800, 313.805 and 313.824, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-7.050 Casino and Commission Surveillance Room Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 804-805). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.800, 313.805 and 313.824, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-7.080 Storage and Retrieval is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 806). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.800, 313.805 and 313.824, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-7.130 Nongambling Hours is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 806). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.800 and 313.805, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-7.150 Compliance with this Chapter is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 806-807). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission received eight letters of comment on proposed rules 11 CSR 45-7.030, Required Surveillance Equipment; 11 CSR 45-7.040, Required Surveillance; 11 CSR 45-7.050, Casino and Commission Surveillance Room Requirements; 11 CSR 45-7.080, Storage and Retrieval; 11 CSR 45-7.130, Nongambling Hours; and 11 CSR 45-7.150, Compliance with this Chapter; all from Missouri Class A licensees. Additionally, a public hearing was held at which individuals/groups were provided the opportunity to express their agreement with or concern about the rules as written. Issues raised at the hearing were essentially the same as those addressed in the letters.

MISSOURI RIVERBOAT GAMING ASSOCIATION (MRGA)

Mr. Bill Brasher, legal counsel for MRGA, spoke on behalf of the MRGA and its members in opposition to portions of 11 CSR 45-7.030. Joining Mr. Brasher in support of the industry and the joint industry comments were Lyle Randolph, Director of Surveillance, Casino Aztar—Caruthersville; Ray Maurer, Director of Surveillance, Ameristar Casino—Kansas City; Walter Sirorine, Director of Surveillance, Ameristar Casino—St. Charles; Terry Forste, Director of Surveillance, President Casino on the Admiral; Terry Schneider, Director of Casino Operations, and Mark Little, Director of Surveillance, Argosy Riverside Casino; Mike Barbato, Director of Surveillance, Harrah's North Kansas City; Russ Hursey, Director of Surveillance, Harrah's Maryland Heights; Alyson Smith, Director of Surveillance, and Kevin Wright, Surveillance Investigator, Isle of Capri Kansas City; Kip Crawford, Director of Surveillance, St. Jo Frontier Casino; and Dan Weindruch, General Manager, Isle of Capri Kansas City. Also joining Mr. Brasher were Mr. Ralph Criddle, Managing Partner, International Casino Surveillance Network, Reno, NV; Michael Malia, President, Mike Malia and Associates, Inc., Atlantic City, NJ; and Mike Ryan, Executive Director, MRGA.

COMMENT: Generally, the industry believes that the existing surveillance regulations provide for a system that is effective, efficient, and meets the requirements of protecting the public,

protecting the casinos, and insuring the integrity of gaming in Missouri.

RESPONSE: The surveillance equipment, configurations, methodologies, and procedures in use by surveillance departments in Missouri licensed riverboat casinos, in many cases, do not facilitate enforcement of gaming regulations and are, therefore, insufficient to adequately protect Missouri's gaming interests. The Commission feels the proposed regulations clarify surveillance requirements, reduce the potential for varying interpretation, and provide a definitive standard by which compliance can be measured. Further, implementation of the proposed regulations, as hereinafter amended, will provide surveillance coverage and recordings beneficial not only to the Commission in fulfilling its regulatory responsibilities, but to the Class A licensees as well.

WRITTEN COMMENTS: Letters were received from Casino Aztar—Caruthersville; St. Jo Frontier Casino; Ameristar Casinos, on behalf of Ameristar Casino Kansas City (ACKC) and Ameristar Casino St. Charles (ACSC); Argosy Casino—Riverside; Isle of Capri Casinos; and Harrah's Entertainment, Inc., on behalf of Harrah's Maryland Heights, LLC, and Harrah's North Kansas City, LLC; during the comment period. Many of the same issues were addressed in the written correspondence as were expressed during the testimony given by individuals on behalf of the Missouri Riverboat Gaming Association; therefore, they will not be addressed. Comments not addressed during the hearing, but received in writing follow:

Argosy Casino—Riverside

COMMENT: 11 CSR 45-7.150(2)—should have a time frame inserted, e.g., "thirty-six months from adoption of these rules" or "in this chapter by June 1, 2004.

RESPONSE: The commission has considered this comment and has decided to make no change in the proposed amendment.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.020 Finance Charges is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 928). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.022 Cash and Trade Discounts is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26

MoReg 928). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.023 Rebates is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 928). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.024 Returned Goods is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 928-929). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.060 Memorial Stones is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 929). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.066 Delivery, Freight and Transportation
Charges—Sales Tax is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 929). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.076 Used Car Dealers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 929). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.086 Bookbinders, Papercutters, Etc. is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 929). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.092 Painters is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 929-930). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.094 Interior or Exterior Decorators is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 930). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.096 Janitorial Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 930). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.100 Barber and Beauty Shops is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 930). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes

effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.122 Consideration Other Than Money, Except for Trade-Ins **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 930-931). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.128 Salvage Companies **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 931). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.136 Consideration Other Than Money **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 931). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.138 Consideration Less Than Fair Market Value **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 931). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.160 Funeral Receipts **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 931). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.164 Installment Sales and Repossessions **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 932). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.174 Stolen or Destroyed Property is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 932). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.200 Wrapping Materials is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 932). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.202 Pallets is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 932). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.206 Bottle Caps and Crowns is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 933). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.208 Crates and Cartons is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 933). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.244 Trade-Ins is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 933). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.452 Mailing of Returns is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 933). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes

effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.454 No Return, No Excuse—Return Required Even if No Sales Made **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 934). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.456 Calendar Quarter Defined **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 934). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.460 Return Required **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 934). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.462 Annual Filing **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 934). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.464 Tax Includes **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 934-935). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.494 Allowance for Defective Merchandise **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 935). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.890 Area Betterment, Tourism or Marketing Program Fees To Be Included As Taxable Gross Receipts **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 935). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 4—State Use Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.705, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-4.270 Allowance for Defective Merchandise **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 935). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 5—City Sales Tax, Transportation Sales Tax
and Public Mass Transportation Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 32.087.6, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-5.005 Date of Delivery Determines Applicability **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 935-936). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 5—City Sales Tax, Transportation Sales Tax
and Public Mass Transportation Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 32.087.6, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-5.025 Location of Machine Determines **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 936). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 5—City Sales Tax, Transportation Sales Tax
and Public Mass Transportation Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 32.087.6, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-5.505 Date of Delivery Determines Applicability **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 936). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 5—City Sales Tax, Transportation Sales Tax
and Public Mass Transportation Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 32.087.6, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-5.515 Layaways **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2001 (26 MoReg 936). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 15—Hospital Program**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Medical Services under sections 208.152, 208.153, 208.201 and 208.471, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 940). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 15—Hospital Program**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Medical Services under sections 208.153 and 208.201 RSMo 2000, the director hereby adopts a rule as follows:

13 CSR 70-15.150 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2001 (26 MoReg 940-942). No changes have been made in the text of the proposed rule, so it is not reprinted here. The authority section is being reprinted to correct an error. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

13 CSR 70-15.150 Enhancement Pools

AUTHORITY: sections 208.153 and 208.201, RSMo 2000. Emergency rule filed April 9, 2001, effective April 19, 2001, expires Oct. 15, 2001. Original rule filed April 9, 2001.

**Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules**

ORDER OF RULEMAKING

By the authority vested in the Attorney General under sections 407.145, 407.462 and 407.466, RSMo 2000, the Attorney General amends a rule as follows:

15 CSR 60-3.020 Forms is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 808-809). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Attorney General received no comments on the proposed amendment to the rule.

**Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules**

ORDER OF RULEMAKING

By the authority vested in the Attorney General under sections 407.145 and 407.462, RSMo 2000, the Attorney General amends a rule as follows:

15 CSR 60-3.030 Initial Registration Statement—Charitable Organization is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 809). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Attorney General received no comments on the proposed amendment to the rule.

**Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules**

ORDER OF RULEMAKING

By the authority vested in the Attorney General under sections 407.145 and 407.466, RSMo 2000, the Attorney General amends a rule as follows:

15 CSR 60-3.040 Registration Statement—Professional Fund-Raiser Organization and Employment Statement—Solicitor is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 809-810). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Attorney General received no comments on the proposed amendment to the rule.

**Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules**

ORDER OF RULEMAKING

By the authority vested in the Attorney General under sections 407.145 and 407.466, RSMo 2000, the Attorney General amends a rule as follows:

15 CSR 60-3.050 Registration Statement—Individual Professional Fund-Raiser is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April

2, 2001 (26 MoReg 810). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Attorney General received no comments on the proposed amendment to the rule.

**Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules**

ORDER OF RULEMAKING

By the authority vested in the Attorney General under sections 407.145 and 407.462, RSMo 2000, the Attorney General amends a rule as follows:

15 CSR 60-3.090 Charitable Organization Annual Report Form **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 810). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Attorney General received no comments on the proposed amendment to the rule.

**Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules**

ORDER OF RULEMAKING

By the authority vested in the Attorney General under sections 407.145 and 407.466, RSMo 2000, the Attorney General amends a rule as follows:

15 CSR 60-3.110 Professional Fund-Raiser Organizations Renewal Application **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 810–811). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Attorney General received no comments on the proposed amendment to the rule.

**Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules**

ORDER OF RULEMAKING

By the authority vested in the Attorney General under sections 407.145 and 407.466, RSMo 2000, the Attorney General amends a rule as follows:

15 CSR 60-3.120 Individual Professional Fund-Raisers Renewal Application **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 811). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Attorney General received no comments on the proposed amendment to the rule.

**Title 19—DEPARTMENT OF HEALTH
Division 10—Office of the Director
Chapter 4—Coordinated Health Care Services**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health under section 191.411, RSMo 2000, the department adopts a rule as follows:

19 CSR 10-4.030 National Interest Waiver Program **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 16, 2001 (26 MoReg 862–864). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 80—Family Care Safety Registry**

ORDER OF RULEMAKING

By the authority vested in the Department of Health under sections 210.915 and 210.924, RSMo 2000, the department adopts a rule as follows:

19 CSR 30-80.010 Definitions **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2001 (26 MoReg 943). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 80—Family Care Safety Registry**

ORDER OF RULEMAKING

By the authority vested in the Department of Health under sections 210.906 and 210.924, RSMo 2000, the department adopts a rule as follows:

19 CSR 30-80.020 General **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2001 (26 MoReg 943). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 80—Family Care Safety Registry**

ORDER OF RULEMAKING

By the authority vested in the Department of Health under sections 210.906 and 210.924, RSMo 2000, the department adopts a rule as follows:

**19 CSR 30-80.030 Child-Care and Elder-Care Worker
Registration is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2001 (26 MoReg 944-947). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 80—Family Care Safety Registry**

ORDER OF RULEMAKING

By the authority vested in the Department of Health under sections 210.912, 210.915 and 210.924, RSMo 2000, the department adopts a rule as follows:

**19 CSR 30-80.040 Updates and Appeals of Registry Information
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2001 (26 MoReg 948). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE
Division 400—Life, Annuities and Health
Chapter 1—Life Insurance and Annuity Standards**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 400-1.100 Universal Life is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 2, 2001 (26 MoReg 811-816). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

Division 100—Division of Credit Unions

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
District 4 Highway Credit Union 600 NE Colbern Road PO Box 648002 Lee's Summit, MO 64064-8002	Employees of District 4, Missouri Highway and Transportation Department, Employees of Troop A Missouri State Highway Patrol and members of their immediate families.

NOTICE TO SUBMIT COMMENTS: *Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten (10) business days after publication of this notice in the Missouri Register.*

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B3Z01268 Transportation Services, Daily 8/17/01;
B3Z02014 Printing: "Birds in Missouri" Book 8/18/01;
B2Z02014 Wireless Telephone Service & Equipment 8/31/01;
B3Z02003 Medicaid Managed Care-Western Region 9/17/01.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

Public Service Announcements made by the Kansas City Royals, supplied by the Kansas City Royals.

James Miluski, CPPO,
Acting Director of Purchasing

**Rule Changes Since Update to
Code of State Regulations**

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—24 (1999), 25 (2000) and 26 (2001). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				24 MoReg 2535
				25 MoReg 2478
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development	24 MoReg 2269			
2 CSR 10-5.010	Market Development	26 MoReg 1305R			
	26 MoReg 1305			
2 CSR 70-13.030	Plant Industries		26 MoReg 905		
2 CSR 80-5.010	State Milk Board		26 MoReg 909.....	This Issue	
2 CSR 90-21.060	Weights and Measures		25 MoReg 2788	26 MoReg 865	
2 CSR 90-40.010	Weights and Measures		26 MoReg 1129R		
2 CSR 90-50.010	Weights and Measures		26 MoReg 1129R		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.113	Conservation Commission		26 MoReg 1130.....	This Issue	
3 CSR 10-4.115	Conservation Commission		26 MoReg 1130R.....	This IssueR	
3 CSR 10-4.116	Conservation Commission		26 MoReg 1131R.....	This IssueR	
3 CSR 10-5.205	Conservation Commission		26 MoReg 1132	This Issue	
3 CSR 10-5.215	Conservation Commission		26 MoReg 1132	This Issue	
3 CSR 10-5.216	Conservation Commission		26 MoReg 1132	This Issue	
3 CSR 10-5.310	Conservation Commission		26 MoReg 1133	This Issue	
3 CSR 10-5.315	Conservation Commission		26 MoReg 1133	This Issue	
3 CSR 10-5.320	Conservation Commission		26 MoReg 1133	This Issue	
3 CSR 10-6.405	Conservation Commission		26 MoReg 1134	This Issue	
3 CSR 10-6.410	Conservation Commission		26 MoReg 1134	This Issue	
3 CSR 10-6.505	Conservation Commission		26 MoReg 1135	This Issue	
3 CSR 10-6.525	Conservation Commission		26 MoReg 1135	This Issue	
3 CSR 10-7.435	Conservation Commission		N.A.....	26 MoReg 1338	
3 CSR 10-7.440	Conservation Commission		N.A.....	26 MoReg 1341	
3 CSR 10-9.110	Conservation Commission		26 MoReg 1308		
3 CSR 10-9.575	Conservation Commission		26 MoReg 1136.....	This Issue	
3 CSR 10-9.625	Conservation Commission		26 MoReg 1136.....	This Issue	
3 CSR 10-10.744	Conservation Commission		26 MoReg 1136.....	This Issue	
3 CSR 10-11.105	Conservation Commission		26 MoReg 1137	This Issue	
3 CSR 10-11.110	Conservation Commission		26 MoReg 1137	This Issue	
3 CSR 10-11.115	Conservation Commission		26 MoReg 1137	This Issue	
3 CSR 10-11.120	Conservation Commission		26 MoReg 1138	This Issue	
3 CSR 10-11.130	Conservation Commission		26 MoReg 1138	This Issue	
3 CSR 10-11.135	Conservation Commission		26 MoReg 1139	This Issue	
3 CSR 10-11.140	Conservation Commission		26 MoReg 1139	This Issue	
3 CSR 10-11.145	Conservation Commission		26 MoReg 1139	This Issue	
3 CSR 10-11.150	Conservation Commission		26 MoReg 1140	This Issue	
3 CSR 10-11.155	Conservation Commission		26 MoReg 1140	This Issue	
3 CSR 10-11.160	Conservation Commission		26 MoReg 1140	This Issue	
3 CSR 10-11.165	Conservation Commission		26 MoReg 1141	This Issue	
3 CSR 10-11.180	Conservation Commission		26 MoReg 1141	This Issue	
3 CSR 10-11.182	Conservation Commission		26 MoReg 1144	This Issue	
3 CSR 10-11.183	Conservation Commission		26 MoReg 1146	This Issue	
3 CSR 10-11.186	Conservation Commission		26 MoReg 1146	This Issue	
3 CSR 10-11.187	Conservation Commission		26 MoReg 1147	This Issue	
3 CSR 10-11.200	Conservation Commission		26 MoReg 1147	This Issue	
3 CSR 10-11.205	Conservation Commission		26 MoReg 1148	This Issue	
3 CSR 10-11.210	Conservation Commission		26 MoReg 1149	This Issue	
3 CSR 10-11.215	Conservation Commission		26 MoReg 1150	This Issue	
3 CSR 10-11.805	Conservation Commission		26 MoReg 1150R.....	This IssueR	
3 CSR 10-12.101	Conservation Commission		26 MoReg 1151	This Issue	
3 CSR 10-12.105	Conservation Commission		26 MoReg 1151	This Issue	
3 CSR 10-12.109	Conservation Commission		26 MoReg 1308		
3 CSR 10-12.110	Conservation Commission		26 MoReg 1151	This Issue	
3 CSR 10-12.115	Conservation Commission		26 MoReg 1152	This Issue	
3 CSR 10-12.125	Conservation Commission		26 MoReg 1153	This Issue	
3 CSR 10-12.130	Conservation Commission		26 MoReg 1154	This Issue	
3 CSR 10-12.135	Conservation Commission		26 MoReg 1154	This Issue	
3 CSR 10-12.140	Conservation Commission		26 MoReg 1154	This Issue	
3 CSR 10-12.145	Conservation Commission		26 MoReg 1156	This Issue	
3 CSR 10-12.150	Conservation Commission		26 MoReg 1156	This Issue	
3 CSR 10-20.805	Conservation Commission		26 MoReg 1157	This Issue	

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DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 10-2.160	Missouri State Board of Accountancy	26 MoReg 1501			
4 CSR 30-8.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1406R 26 MoReg 1406		
4 CSR 30-11.010	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1409R 26 MoReg 1409		
4 CSR 30-11.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1410		
4 CSR 90-8.010	State Board of Cosmetology		26 MoReg 697R.....1474R		
4 CSR 100	Division of Credit Unions		26 MoReg 697.....1474		26 MoReg 1277
					26 MoReg 1363
					26 MoReg 1476
					26 MoReg 1542
					This Issue
4 CSR 100 2.060	Division of Credit Unions		26 MoReg 1159		
4 CSR 110-2.170	Missouri Dental Board		26 MoReg 1414R		
			26 MoReg 1414		
4 CSR 110-2.180	Missouri Dental Board		26 MoReg 1423R		
			26 MoReg 1423		
4 CSR 120-2.100	State Board of Embalmers and Funeral Directors		26 MoReg 1007		
4 CSR 140-2.070	Division of Finance		26 MoReg 328.....26 MoReg 1341		
4 CSR 140-2.138	Division of Finance		26 MoReg 328.....26 MoReg 1342		
4 CSR 140-6.085	Division of Finance		26 MoReg 329.....26 MoReg 1342		
4 CSR 145-1.040	Missouri Board of Geologist Registration		26 MoReg 1011		
4 CSR 150-2.050	State Board of Registration for the Healing Arts		26 MoReg 1014		
4 CSR 150-2.080	State Board of Registration for the Healing Arts		26 MoReg 1014		
4 CSR 150-2.125	State Board of Registration for the Healing Arts		26 MoReg 1020		
4 CSR 150-2.165	State Board of Registration for the Healing Arts		26 MoReg 1021		
4 CSR 150-8.060	State Board of Registration for the Healing Arts		26 MoReg 1023		
4 CSR 205-4.010	Missouri Board of Occupational Therapy		26 MoReg 859.....26 MoReg 1539		
4 CSR 205-4.020	Missouri Board of Occupational Therapy		26 MoReg 859.....26 MoReg 1539		
4 CSR 220-2.032	State Board of Pharmacy		26 MoReg 698.....26 MoReg 1539		
4 CSR 220-2.085	State Board of Pharmacy		26 MoReg 1025		
4 CSR 220-4.010	State Board of Pharmacy		26 MoReg 698.....26 MoReg 1539		
4 CSR 220-5.020	State Board of Pharmacy		26 MoReg 1025		
4 CSR 231-2.010	Division of Professional Registration		26 MoReg 699.....26 MoReg 1474		
4 CSR 233-1.040	State Committee of Marital and Family Therapists		26 MoReg 1309		
4 CSR 233-2.010	State Committee of Marital and Family Therapists		26 MoReg 1309		
4 CSR 233-2.020	State Committee of Marital and Family Therapists		26 MoReg 1310		
4 CSR 233-2.021	State Committee of Marital and Family Therapists		26 MoReg 1311		
4 CSR 233-2.040	State Committee of Marital and Family Therapists		26 MoReg 1312		
4 CSR 235-1.020	State Committee of Psychologists		26 MoReg 700.....26 MoReg 1474		
4 CSR 235-2.060	State Committee of Psychologists		26 MoReg 700R.....26 MoReg 1475R		
			26 MoReg 700.....26 MoReg 1475		
4 CSR 240-21.010	Public Service Commission		26 MoReg 1312		
4 CSR 240-32.130	Public Service Commission		26 MoReg 330.....26 MoReg 1342		
4 CSR 240-32.140	Public Service Commission		26 MoReg 331.....26 MoReg 1342		
4 CSR 240-32.150	Public Service Commission		26 MoReg 331.....26 MoReg 1343		
4 CSR 240-32.160	Public Service Commission		26 MoReg 331.....26 MoReg 1344		
4 CSR 240-32.170	Public Service Commission		26 MoReg 332.....26 MoReg 1345		
4 CSR 240-51.010	Public Service Commission		26 MoReg 1317		
4 CSR 240-120.011	Public Service Commission		26 MoReg 1434		
4 CSR 240-120.065	Public Service Commission		26 MoReg 1434		
4 CSR 240-120.100	Public Service Commission		26 MoReg 1160		
4 CSR 240-121.010	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.020	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.040	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.050	Public Service Commission		26 MoReg 1162		
4 CSR 240-121.055	Public Service Commission		26 MoReg 1434		
4 CSR 240-121.060	Public Service Commission		26 MoReg 1162		
4 CSR 240-121.090	Public Service Commission		26 MoReg 1162		
4 CSR 240-122.010	Public Service Commission		26 MoReg 1435R		
4 CSR 240-122.020	Public Service Commission		26 MoReg 1435R		
4 CSR 240-122.030	Public Service Commission		26 MoReg 1435R		
4 CSR 240-122.040	Public Service Commission		26 MoReg 1435R		
4 CSR 240-122.050	Public Service Commission		26 MoReg 1436R		
4 CSR 240-122.060	Public Service Commission		26 MoReg 1436R		
4 CSR 240-122.070	Public Service Commission		26 MoReg 1436R		
4 CSR 240-122.080	Public Service Commission		26 MoReg 1437R		
4 CSR 240-122.090	Public Service Commission		26 MoReg 1437R		
4 CSR 240-123.010	Public Service Commission		26 MoReg 1437		
4 CSR 240-123.030	Public Service Commission		26 MoReg 1438		
4 CSR 240-123.040	Public Service Commission		26 MoReg 1441		
4 CSR 240-123.065	Public Service Commission		26 MoReg 1444		
4 CSR 240-123.070	Public Service Commission		26 MoReg 1444		
4 CSR 240-123.080	Public Service Commission		26 MoReg 1446		
4 CSR 240-124.010	Public Service Commission		26 MoReg 1446		
4 CSR 240-124.040	Public Service Commission		26 MoReg 1447		
4 CSR 240-124.045	Public Service Commission		26 MoReg 1447		
4 CSR 245-5.010	Real Estate Appraisers		26 MoReg 1026		

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4 CSR 245-5.020	Real Estate Appraisers		26 MoReg 1026		
4 CSR 255-1.040	Missouri Board for Respiratory Care		26 MoReg 860	This Issue	
4 CSR 255-2.020	Missouri Board for Respiratory Care		26 MoReg 493	26 MoReg 1346	
4 CSR 255-2.030	Missouri Board for Respiratory Care		26 MoReg 493	26 MoReg 1346	
4 CSR 255-2.050	Missouri Board for Respiratory Care		26 MoReg 494	26 MoReg 1346	
4 CSR 255-2.060	Missouri Board for Respiratory Care		26 MoReg 496R	26 MoReg 1346R	
			26 MoReg 496	26 MoReg 1346	
4 CSR 255-4.010	Missouri Board for Respiratory Care		26 MoReg 501R	26 MoReg 1347R	
			26 MoReg 501	26 MoReg 1347	
4 CSR 270-1.011	Missouri Veterinary Medical Board		26 MoReg 1030		
4 CSR 270-1.021	Missouri Veterinary Medical Board		26 MoReg 1030		
4 CSR 270-1.050	Missouri Veterinary Medical Board		26 MoReg 1031R		
			26 MoReg 1031		
4 CSR 270-2.011	Missouri Veterinary Medical Board		26 MoReg 1037		
4 CSR 270-2.021	Missouri Veterinary Medical Board		26 MoReg 1037		
4 CSR 270-2.052	Missouri Veterinary Medical Board		26 MoReg 1038		
4 CSR 270-2.070	Missouri Veterinary Medical Board		26 MoReg 1038		
4 CSR 270-2.071	Missouri Veterinary Medical Board		26 MoReg 1039		
4 CSR 270-3.020	Missouri Veterinary Medical Board		26 MoReg 1039		
4 CSR 270-3.030	Missouri Veterinary Medical Board		26 MoReg 1040		
4 CSR 270-3.040	Missouri Veterinary Medical Board		26 MoReg 1040		
4 CSR 270-4.042	Missouri Veterinary Medical Board		26 MoReg 1041		
4 CSR 270-4.050	Missouri Veterinary Medical Board		26 MoReg 1047		
4 CSR 270-4.060	Missouri Veterinary Medical Board		26 MoReg 1051		
4 CSR 270-5.011	Missouri Veterinary Medical Board		26 MoReg 1051		
4 CSR 270-7.020	Missouri Veterinary Medical Board		26 MoReg 1054		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-261.025	Division of School Services		26 MoReg 912		
5 CSR 30-345.020	Division of School Services		26 MoReg 1320		
	(<i>Changed to 5 CSR 50-345.020</i>)				
5 CSR 50-345.020	Division of School Improvement		26 MoReg 1320		
	(<i>Changed from 5 CSR 30-345.020</i>)				
5 CSR 60-100.020	Vocational and Adult Education		26 MoReg 915		
5 CSR 60-120.010	Vocational and Adult Education		N.A.	26 MoReg 821	
5 CSR 70-742.140	Special Education		N.A.	This Issue	
5 CSR 80-800.200	Teacher Quality and Urban Education		26 MoReg 918		
5 CSR 80-800.220	Teacher Quality and Urban Education		26 MoReg 918		
5 CSR 80-800.230	Teacher Quality and Urban Education		26 MoReg 919		
5 CSR 80-800.260	Teacher Quality and Urban Education		26 MoReg 919		
5 CSR 80-800.270	Teacher Quality and Urban Education		26 MoReg 922		
5 CSR 80-800.280	Teacher Quality and Urban Education		26 MoReg 922		
5 CSR 80-800.350	Teacher Quality and Urban Education		26 MoReg 923		
5 CSR 80-800.360	Teacher Quality and Urban Education		26 MoReg 925		
5 CSR 80-800.380	Teacher Quality and Urban Education		26 MoReg 926		
5 CSR 80-850.025	Teacher Quality and Urban Education		26 MoReg 1503		
5 CSR 90-7.010	Vocational Rehabilitation		26 MoReg 1506		
5 CSR 90-7.100	Vocational Rehabilitation		26 MoReg 1507		
5 CSR 90-7.200	Vocational Rehabilitation		26 MoReg 1511		
5 CSR 90-7.300	Vocational Rehabilitation		26 MoReg 1514		
5 CSR 90-7.310	Vocational Rehabilitation		26 MoReg 1514		
5 CSR 90-7.320	Vocational Rehabilitation		26 MoReg 1514		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 5-1.010	Administration		26 MoReg 1322R		
8 CSR 70-1.020	Missouri Assistive Technology Advisory Council		This Issue		
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-5.210	Director, Department of Mental Health		26 MoReg 705	26 MoReg 1540	
9 CSR 10-7.010	Director, Department of Mental Health		26 MoReg 708		
9 CSR 10-7.020	Director, Department of Mental Health		26 MoReg 710		
9 CSR 10-7.030	Director, Department of Mental Health		26 MoReg 711		
9 CSR 10-7.040	Director, Department of Mental Health		26 MoReg 714		
9 CSR 10-7.050	Director, Department of Mental Health		26 MoReg 714		
9 CSR 10-7.060	Director, Department of Mental Health		26 MoReg 715		
9 CSR 10-7.070	Director, Department of Mental Health		26 MoReg 716		
9 CSR 10-7.080	Director, Department of Mental Health		26 MoReg 717		
9 CSR 10-7.090	Director, Department of Mental Health		26 MoReg 718		
9 CSR 10-7.100	Director, Department of Mental Health		26 MoReg 719		
9 CSR 10-7.110	Director, Department of Mental Health		26 MoReg 719		
9 CSR 10-7.120	Director, Department of Mental Health		26 MoReg 720		
9 CSR 10-7.130	Director, Department of Mental Health		26 MoReg 723		
9 CSR 10-7.140	Director, Department of Mental Health		26 MoReg 725		
9 CSR 30-3.010	Certification Standards		26 MoReg 728R		
9 CSR 30-3.020	Certification Standards		26 MoReg 728R		
9 CSR 30-3.022	Certification Standards		26 MoReg 728		
9 CSR 30-3.030	Certification Standards		26 MoReg 729R		
9 CSR 30-3.032	Certification Standards		26 MoReg 729		
9 CSR 30-3.040	Certification Standards		26 MoReg 730R		
9 CSR 30-3.050	Certification Standards		26 MoReg 730R		

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9 CSR 30-3.060	Certification Standards.....		26 MoReg 731R		
9 CSR 30-3.070	Certification Standards.....		26 MoReg 731R		
9 CSR 30-3.080	Certification Standards.....		26 MoReg 731R		
9 CSR 30-3.100	Certification Standards.....		26 MoReg 731		
9 CSR 30-3.110	Certification Standards.....		26 MoReg 735		
9 CSR 30-3.120	Certification Standards.....		26 MoReg 737		
9 CSR 30-3.130	Certification Standards.....		26 MoReg 739		
9 CSR 30-3.132	Certification Standards.....		26 MoReg 750		
	(<i>Changed from 9 CSR 30-3.610</i>)				
9 CSR 30-3.134	Certification Standards.....		26 MoReg 753		
	(<i>Changed from 9 CSR 30-3.611</i>)				
9 CSR 30-3.140	Certification Standards.....		26 MoReg 741		
9 CSR 30-3.150	Certification Standards.....		26 MoReg 742		
9 CSR 30-3.160	Certification Standards.....		26 MoReg 742		
9 CSR 30-3.190	Certification Standards.....		26 MoReg 745		
9 CSR 30-3.192	Certification Standards.....		26 MoReg 746		
9 CSR 30-3.200	Certification Standards.....		26 MoReg 747R		
9 CSR 30-3.201	Certification Standards.....		26 MoReg 758		
	(<i>Changed from 9 CSR 30-3.700</i>)				
9 CSR 30-3.202	Certification Standards.....		26 MoReg 760		
	(<i>Changed from 9 CSR 30-3.730</i>)				
9 CSR 30-3.204	Certification Standards.....		26 MoReg 762		
	(<i>Changed from 9 CSR 30-3.750</i>)				
9 CSR 30-3.206	Certification Standards.....		26 MoReg 764		
	(<i>Changed from 9 CSR 30-3.760</i>)				
9 CSR 30-3.208	Certification Standards.....		26 MoReg 768		
	(<i>Changed from 9 CSR 30-3.790</i>)				
9 CSR 30-3.210	Certification Standards.....		26 MoReg 748R		
9 CSR 30-3.220	Certification Standards.....		26 MoReg 748R		
9 CSR 30-3.230	Certification Standards.....		26 MoReg 768		
	(<i>Changed from 9 CSR 30-3.800</i>)				
9 CSR 30-3.240	Certification Standards.....		26 MoReg 748R		
9 CSR 30-3.250	Certification Standards.....		26 MoReg 748R		
9 CSR 30-3.300	Certification Standards.....		26 MoReg 755		
	(<i>Changed from 9 CSR 30-3.630</i>)				
9 CSR 30-3.400	Certification Standards.....		26 MoReg 749R		
9 CSR 30-3.410	Certification Standards.....		26 MoReg 749R		
9 CSR 30-3.420	Certification Standards.....		26 MoReg 749R		
9 CSR 30-3.500	Certification Standards.....		26 MoReg 749R		
9 CSR 30-3.510	Certification Standards.....		26 MoReg 750R		
9 CSR 30-3.600	Certification Standards.....		26 MoReg 750R		
9 CSR 30-3.610	Certification Standards.....		26 MoReg 750		
	(<i>Changed to 9 CSR 30-3.132</i>)				
9 CSR 30-3.611	Certification Standards.....		26 MoReg 753		
	(<i>Changed to 9 CSR 30-3.134</i>)				
9 CSR 30-3.620	Certification Standards.....		26 MoReg 755R		
9 CSR 30-3.621	Certification Standards.....		26 MoReg 755R		
9 CSR 30-3.630	Certification Standards.....		26 MoReg 755		
	(<i>Changed to 9 CSR 30-3.300</i>)				
9 CSR 30-3.700	Certification Standards.....		26 MoReg 758		
	(<i>Changed to 9 CSR 30-3.201</i>)				
9 CSR 30-3.710	Certification Standards.....		26 MoReg 759R		
9 CSR 30-3.720	Certification Standards.....		26 MoReg 759R		
9 CSR 30-3.730	Certification Standards.....		26 MoReg 760		
	(<i>Changed to 9 CSR 30-3.202</i>)				
9 CSR 30-3.740	Certification Standards.....		26 MoReg 762R		
9 CSR 30-3.750	Certification Standards.....		26 MoReg 762		
	(<i>Changed to 9 CSR 30-3.204</i>)				
9 CSR 30-3.760	Certification Standards.....		26 MoReg 764		
	(<i>Changed to 9 CSR 30-3.206</i>)				
9 CSR 30-3.770	Certification Standards.....		26 MoReg 767R		
9 CSR 30-3.780	Certification Standards.....		26 MoReg 767R		
9 CSR 30-3.790	Certification Standards.....		26 MoReg 768		
	(<i>Changed to 9 CSR 30-3.208</i>)				
9 CSR 30-3.800	Certification Standards.....		26 MoReg 768		
	(<i>Changed to 9 CSR 30-2.230</i>)				
9 CSR 30-3.810	Certification Standards.....		26 MoReg 772R		
9 CSR 30-3.820	Certification Standards.....		26 MoReg 772R		
9 CSR 30-3.830	Certification Standards.....		26 MoReg 772R		
9 CSR 30-3.840	Certification Standards.....		26 MoReg 773R		
9 CSR 30-3.850	Certification Standards.....		26 MoReg 773R		
9 CSR 30-3.851	Certification Standards.....		26 MoReg 773R		
9 CSR 30-3.852	Certification Standards.....		26 MoReg 774R		
9 CSR 30-3.853	Certification Standards.....		26 MoReg 774R		
9 CSR 30-3.860	Certification Standards.....		26 MoReg 774R		
9 CSR 30-3.870	Certification Standards.....		26 MoReg 774R		
9 CSR 30-3.880	Certification Standards.....		26 MoReg 775R		
9 CSR 30-3.890	Certification Standards.....		26 MoReg 775R		
9 CSR 30-3.900	Certification Standards.....		26 MoReg 775R		
9 CSR 30-3.910	Certification Standards.....		26 MoReg 775R		
9 CSR 30-3.920	Certification Standards.....		26 MoReg 776R		
9 CSR 30-3.930	Certification Standards.....		26 MoReg 776R		
9 CSR 30-3.940	Certification Standards.....		26 MoReg 776R		

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9 CSR 30-3.950	Certification Standards		26 MoReg 776R		
9 CSR 30-3.960	Certification Standards		26 MoReg 777R		
9 CSR 30-3.970	Certification Standards		26 MoReg 777R		
9 CSR 30-4.010	Certification Standards		26 MoReg 777		
9 CSR 30-4.020	Certification Standards		26 MoReg 778		
9 CSR 30-4.030	Certification Standards		26 MoReg 780		
9 CSR 30-4.031	Certification Standards		26 MoReg 781		
9 CSR 30-4.032	Certification Standards		26 MoReg 783		
9 CSR 30-4.033	Certification Standards		26 MoReg 784		
9 CSR 30-4.034	Certification Standards		26 MoReg 785		
9 CSR 30-4.035	Certification Standards		26 MoReg 787		
9 CSR 30-4.036	Certification Standards		26 MoReg 789R		
9 CSR 30-4.037	Certification Standards		26 MoReg 790R		
9 CSR 30-4.038	Certification Standards		26 MoReg 790		
9 CSR 30-4.039	Certification Standards		26 MoReg 791		
9 CSR 30-4.040	Certification Standards		26 MoReg 791		
9 CSR 30-4.041	Certification Standards		26 MoReg 792		
9 CSR 30-4.043	Certification Standards		26 MoReg 793		
9 CSR 30-4.044	Certification Standards		26 MoReg 795R		
9 CSR 30-4.100	Certification Standards		26 MoReg 795R		
9 CSR 30-4.110	Certification Standards		26 MoReg 795R		
9 CSR 30-4.120	Certification Standards		26 MoReg 796R		
9 CSR 30-4.130	Certification Standards		26 MoReg 796R		
9 CSR 30-4.140	Certification Standards		26 MoReg 796R		
9 CSR 30-4.150	Certification Standards		26 MoReg 796R		
9 CSR 30-4.160	Certification Standards		26 MoReg 797		
9 CSR 30-4.170	Certification Standards		26 MoReg 798R		
9 CSR 30-4.180	Certification Standards		26 MoReg 798R		
9 CSR 30-4.190	Certification Standards		26 MoReg 798		
9 CSR 45-3.070	Division of Mental Retardation and Developmental Disabilities		26 MoReg 335	26 MoReg 1347	
DEPARTMENT OF NATURAL RESOURCES					
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13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services
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13 CSR 70-15.110 Federal Reimbursement Allowance (FRA) December 8, 2001
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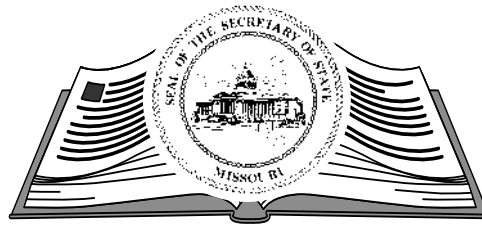
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